

PART B - FEE(S) TRANSMITTAL

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CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

11/28/2003

HIMANSHU S. AMIN
AMIN & TUROCY, LLP
24th FLOOR, NATIONAL CITY CENTER
1900 EAST 9th STREET
CLEVELAND, OH 44114

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Himanshu S. Amin, Reg No. 40,894

(Depositor's name)

March 1, 2004

(Date)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/912,162 | 07/24/2001 | Dominick H. Salvato | 1219 | 398 |

TITLE OF INVENTION: ADAPTER UNIT HAVING AN ERGONOMIC GRIP FOR A PERSONAL DIGITAL ASSISTANT

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1330 | \$300 | \$1630 | 03/01/2004 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|--------------------|----------|----------------|
| NGUYEN, KIMBERLY D | 2876 | 235-472020 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Amin & Turocy, LLP

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

SYMBOL TECHNOLOGIES, INC.

HOLTSVILLE, NEW YORK

Please check the appropriate assignee category or categories (will not be printed on the patent);

☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☐ Advance Order - # of Copies

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1063 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

Himanshu S. Amin, Reg No. 40,894

March 1, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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05/13/2004 AWONDAF2 00000076 501063 09912162

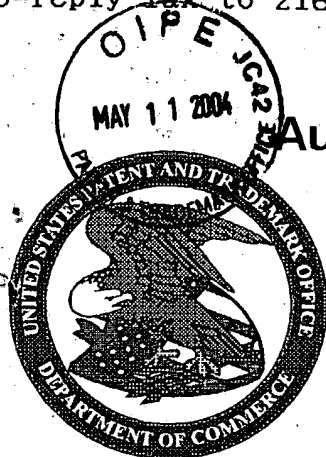
02 FC:1501

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03 FC:1504

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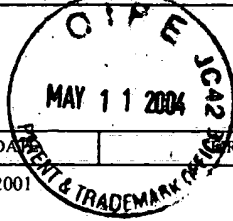
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|---|--------------|----------------------|--|--------------------|------------|
| 03/01/2004 17:59 FAX 216 696 8731 | | AMIN. & TUROCY LLP. | | 0001 | |
| PART B - FEE(S) TRANSMITTAL | | | | | |
| Complete and send this form, together with applicable fee(s), to: Mail | | | Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 (703) 746-4000 | | |
| or Fax | | | | | |
| <p>INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, trademark or other notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address, and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.</p> <p>CAUTION: Consideration of this form is required for the proper handling of your application. Do not leave any section blank.</p> | | | | | |
| <p>3790 11020809</p> <p>HIMANSHU S. AMIN AMIN & TUROCY, LLP 24th FLOOR, NATIONAL CITY CENTER 1900 EAST 9th STREET CLEVELAND, OH 44114</p> | | | <p>Now, a certificate of mailing can only be used for domestic mailings of the Patent Transmission. This certificate cannot be used for any other correspondence papers. Each additional paper, such as an assignment or form, drawing, must have its own certificate of mailing or transmittal.</p> <p>Certificate of Mailing or Transmittal I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being personally transmitted to the USPTO, on the date indicated below.</p> <p>Hiranshu S. Amin, Reg No. 40,894 (Depositor's name) March 1, 2004 (Date) (Signature)</p> | | |
| APPLICATION NO. | PRIMO DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CORRESPONDENCE NO. | |
| 09/12/02 | 07/24/2001 | Dominick H. Salvato | 1219 | 3989 | |
| TITLE OF INVENTION: ADAPTER UNIT HAVING AN ECONOMIC ORIP FOR A PERSONAL DIGITAL ASSISTANT | | | | | |
| APPL. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
| unexamined | NO | \$1330 | \$300 | \$1630 | 03/01/2004 |
| EXAMINER | ART UNIT | CLASS-SUBCLASS | | | |
| NGUYEN, KIMBERLY D | 2876 | 235-472010 | | | |
| 1. Change of correspondence address or indication of "Fee Address" (7 CFR 1.331) | | | 2. For printing on the patent final page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (treating as a member a registered attorney or agent) and the names of up to 3 registered patent attorneys or agents if no name is listed, no name will be printed. | | |
| <p><input type="checkbox"/> Change of correspondence address (for Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (for "Fee Address" indication form PTO/SB/127; Rev. 03-02) or more recent attached. Use of a Customer Number is required.</p> | | | <p>Amin & Turocy, LLP</p> <p>2</p> <p>3</p> | | |
| 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) | | | | | |
| PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Indication of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment. | | | | | |
| (A) NAME OF ASSIGNEE | | | (B) RESIDENCE (CITY AND STATE OR COUNTRY) | | |
| SYMBOL TECHNOLOGIES, INC. | | | HOLTSVILLE, NEW YORK | | |
| Please check the appropriate assignee category or categories (will not be printed on the patent): <input type="checkbox"/> individual <input type="checkbox"/> corporation or other private group entity <input type="checkbox"/> government | | | | | |
| 4a. The following fee(s) are submitted: | | | 4b. Payment of Fee(s): | | |
| <input checked="" type="checkbox"/> Issue Fee | | | <input type="checkbox"/> A check in the amount of the fee(s) is enclosed. | | |
| <input type="checkbox"/> Publication Fee | | | <input type="checkbox"/> Payment by credit card. Form PTO-2034 is attached. | | |
| <input type="checkbox"/> Advance Order - # of Copies | | | <input type="checkbox"/> The Disclosure is hereby submitted by charge the required fee(s) or credit (by endorsement, to Deposit Account Number of _____, enclosed as an extra copy of this form). | | |
| Director the Patent is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid Issue Fee to the application identified above. | | | | | |
| (Authorized Signature) | | | (Date) | | |
| Hiranshu S. Amin, Reg No. 40,894 | | | March 1, 2004 | | |
| <p>NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.</p> <p>This collection of information is required by 37 CFR 1.331. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 102 and 37 CFR 1.14. This collection is restricted to only 12 minutes to complete, including gathering, preparing, and submitting the information to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, 111, Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR CORRECTED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.</p> <p>Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.</p> | | | | | |
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| PTOL-45 (Rev. 10/95) Approved for use through 04/30/2004. OMB 9551-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE | | | | | |
| PAGE 1/1 RCVD AT 3/1/2004 6:04:48 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-2/4 * DNS:7464000 * CSD:216 696 8731 * DURATION (min-ss):00-42 | | | | | |

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Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/912,162 | 07/24/2001 | Dominick H. Salvato | 1219 | 3989 |

7590

04/07/2004

HIMANSHU S. AMIN
AMIN & TUROCY, LLP
24th FLOOR, NATIONAL CITY CENTER
1900 EAST 9th STREET
CLEVELAND, OH 44114

EXAMINER

NGUYEN, KIMBERLY D

ART UNIT PAPER NUMBER

2876

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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ABANDONMENT
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TOM HAWKINS
305-8380



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Washington, D.C. 20231

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|--------------------|-------------|-----------------------|---------------------|
| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER NUMBER |
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NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____
- ☐ A reply (with Certificate of Mailing or Transmission of _____) was received on _____ which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____
- ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- ☐ A reply was received on _____, but it does not constitute a proper reply, or a *bona fide* attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in the last box below).
- ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85)(or Notice of Publication Fee Due).
- ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee by 37 CFR 1.18 is \$ _____. The publication fee, if required, by 37 CFR 1.18(d) is \$ _____.
- ☒ The issue fee and publication fee, if applicable, have not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
- ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
- ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below: _____

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

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Respond to the Notice of Abandonment by one of the following:

Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I) and 37 CFR § 1.181) No fee required

Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181, to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f).

In order for a petition to be granted, the evidence must be sufficient according to one of the following standards:

- 37 CFR § 1.8(b) Certificate of Mailing
- 37 CFR § 1.10 "Express Mail" mailing
- MPEP 503 Postcard Receipt as Prima Facie Evidence

Petition To Withdraw Holding Of Abandonment should be addressed as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Mail Stop: Issue Fee, Alexandria, VA
22313-1450

By facsimile: 703-305-8755 or 703-305-4372

Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (See MPEP 711.03(c) II). No fee required

Where an applicant contends that the original Notice of Allowance and Issue Fee Due was never received. If adequately supported, the Office may grant the petition and reissue the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
(Mark attention of a particular office or individual)

By facsimile: Technology Center numbers posted at <http://www.uspto.gov/september1/faxnotice.htm>

Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g. the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) unavoidable or (b) unintentionally (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By hand: Crystal Plaza 4, Rm. 3C23, 2201 Clark Place, Arlington, VA

By facsimile: 703-308-6916

Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a) and Unintentionally Under 37 CFR 1.137(b), forms available at USPTO website - <http://www.uspto.gov>

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment.